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Approved for use through 09/30/2000. OMB 0651-0032

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UTILITY PATENT APPLICATION **TRANSMITTAL**

460-001 Cont. IV Attorney Docket No.

First Inventor or Application Identifier Hon et al.

(Only for new nonprovisional applications under 37 C.F.R. § 1.53(b) Express Mail Label No. EL668226817US

	PPLICATION ELEMENTS pter 600 concerning utility patent application contents.	ADD	RESS TO:	Box Patent	Application	62
	ee Transmittal Form (e.g., PTO/SB/17)	5.	Missefishs C	Washington	*	- 2 5
	bmit an original and a duplicate for fee processing)				gram (Appendix)	'
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a.	Newly executed (original or copy)	12.		•	(MPEP 503)]
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1	(for continuation/divisional with Box 16 completed) i DELETION OF INVENTOR(S)	13.	Statement(s) V Sta	tement filed in prior applic tus still proper and desire	
	Signed statement attached deleting	14.	(PTO/SB/09-1 Certified Co	12)	Document(s)	
	inventor(s) named in the prior application see 37 C.F.R. §§ 1.63(d)(2) and 1.33(b).	, I 		riority is claim	red)	
* NOTE FOR IT	EMS 1 & 13: IN ORDER TO BE ENTITLED TO PAY SMALL ENTIT	7 15. L	Other:	••••••••••••		ľ
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16. If a CON	ITINUING APPLICATION, check appropriate box, and	supply the requ	isite informatio	n below and in	a preliminary amendment:	\dashv
	ntinuation Divisional Continuation-in-part (prior application		3 <u>, 947,055</u>	1
	lication information: Examiner J. Kerr ATION or DIVISIONAL APPS only: The entire disclosure	of the prior ar	Group	/ Art Unit:	1633	
under Box 4b,	is considered a part of the disclosure of the accompan	ying continua	tion or divisio	nal applicatio	n and is hereby incorporate	ed by
reference. The	e incorporation <u>can only</u> be relied upon when a portion 17. CORRESPONDI			tted from the	submitted application parts	<u>-</u>
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Signature	1.W. Lemme DVM			Date	November 20 2	000

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See 37 C.F.R. §§ 1.27 and 1.28.

TOTAL AMOUNT OF PAYMENT

Complete if Known				
Application Number				
Filing Date				
First Named Inventor	David N.S. Hon			
Examiner Name	J. Kerr			
Group / Art Unit	1633			
Attorney Docket No.	460-001 Cont. IV			

METHOD OF PAYMENT (check one)	FEE CALCULATION (continued)			
The Commissioner is hereby authorized to charge indicated fees and credit any over payments to:	3. ADDITIONAL FEES Large Entity Small Entity Fee			
Deposit Account Number 11-0978	Code (\$) Code (\$) 105 130 205 65 Surcharge - late filing fee or oath	Fee Paid		
Deposit Account	127 50 227 25 Surcharge - late provisional filing fee or cover sheet.			
Name	139 130 139 130 Non-English specification			
2. Payment Enclosed:	147 2,520 147 2,520 For filing a request for reexamination			
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Charge any additional fee required under 37 CFR Sections 1 16 and 1.17 or credit any overpayment to the above-listed deposit account.	113 1,840* 113 1,840* Requesting publication of SIR after Examiner action			
FEE CALCULATION	115 110 215 55 Extension for reply within first month	li		
	116 390 216 195 Extension for reply within second month			
1. BASIC FILING FEE	117 890 217 445 Extension for reply within third month			
Large Entity Small Entity Fee Fee Fee Fee Description	118 1,390 218 695 Extension for reply within fourth month			
Code (\$) Code (\$) Fee Paid	128 1,890 228 945 Extension for reply within fifth month			
101 710 201 355 Utility filing fee 355	119 310 219 155 Notice of Appeal			
106 320 206 160 Design filing fee	120 310 220 155 Filing a brief in support of an appeal			
107 490 207 245 Plant filing fee	121 270 221 135 Request for oral hearing			
108 710 208 355 Reissue filing fee	138 1,510 138 1,510 Petition to institute a public use proceeding			
114 150 214 75 Provisional filing fee	140 110 240 55 Petition to revive - unavoidable			
SUBTOTAL (1) (\$) 355	141 1,240 241 620 Petition to revive - unintentional			
2. EXTRA CLAIM FEES	142 1,240 242 620 Utility issue fee (or reissue)			
Fee from Extra Claimsbelow	143 440 243 220 Design issue fee			
Total Claims 7 -20** = 0 X	144 600 244 300 Plant issue fee	 		
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Claims S S S S S S S S S S S S S S S S S S S	123 50 123 50 Petitions related to provisional applications			
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Large Entity Small Entity Fee Fee Fee Fee Description Code (\$) Code (\$)	581 40 581 40 Recording each patent assignment per property (times number of properties)			
103 18 203 9 Claims in excess of 20	146 710 246 345 Filing a submission after final rejection			
102 80 202 40 Independent claims in excess of 3	(37 CFR § 1.129(a)) 149 710 249 355 For each additional invention to be			
104 270 204 135 Multiple dependent claim, if not paid	examined (37 CFR § 1.129(b))			
109 80 209 40 ** Reissue independent claims over original patent	Other fee (specify)			
110 18 210 9 ** Reissue claims in excess of 20 and over original patent	Other fee (specify)			
SUBTOTAL (2) (\$) 0	Reduced by Basic Filing Fee Paid SUBTOTAL (3)	0		
SUBMITTED BY	Complete (if applicable)			
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Name (Print/Type) J. William Seanor, D.V.M. 40,804 859/ 252-0889 (Attorney/Agent) Signature Date

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S.N.: NOT YET ASSIGNED

Docket No. 460-001 Continuation IV

Patent

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re application

DAVID N. S. HON ET AL.

Serial No. NOT YET ASSIGNED

Group Art Unit:

1633

Filed: November 20, 2000

For: COMPOSITIONS OF OAK BARK

EXTRACT RELATED SYNTHETIC : COMPOSITIONS AND METHOD OF :

USING SAME

PRELIMINARY AMENDMENT

Commissioner of Patents and Trademarks Washington, DC 20231

Dear Sir:

The above-styled application is a continuation of prior application Serial Number: 08/947,055, filed on October 8, 1997 which is set to issue on November 21, 2000 as U.S. Patent Number 6,149,947. This application claims the benefit of priority, through copendency, of prior application Serial Number: 07/973,071, filed November 6, 1992, the status of which is now abandoned.

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In the Claims

Please cancel claims 32-36 without prejudice.

Please add the following new claims 37-43 as follows:

- --37. A composition comprising from 40% to 80% by weight of solids of an aqueous oak bark extract.
- 38. The composition of claim 37, wherein the composition is useful for enhancing wound healing at a wound site via modulation of matrix metalloproteinase activity at the wound site.
- 39. A composition for enhancing wound healing at a wound site via modulation of matrix metalloproteinase activity at the wound site, comprising:

a pharmaceutically acceptable carrier; and

- an active ingredient of inorganic solids comprising 10-80 parts by weight of potassium ions, 0.00001-20 parts by weight of zinc ions, 0.01-10 parts by weight of calcium ions and 1-40 parts by weight of rubidium ions.
- 40. The composition according to claim 39, wherein the rubidium ions comprise 1-30 parts by weight of the inorganic solids.

- 41. The composition according to claim 39, wherein said carrier is water.
- 42. The composition according to claim 39, wherein said carrier is cream based.
- 43. A method for enhancing wound healing at a wound site via modulation of matrix metalloproteinase activity at the wound site, comprising applying to the wound site an effective amount of a therapeutic composition comprising:

a pharmaceutically acceptable carrier; and

an active ingredient of inorganic solids comprising 10-80 parts by weight of potassium ions, 0.00001-20 parts by weight of zinc ions, 0.01-10 parts by weight of calcium ions and 1-40 parts by weight of rubidium ions.--

REMARKS

New claim 37 above is identical to non-elected claim 1 of the parent application Serial Number: 07/973,071, as set forth in the "Response to Restriction Requirement" filed on November 18, 1993.

New claims 38-43 are set forth herein to distinctly claim specific embodiments of the present invention directed compositions and methods for enhancing wound healing at a wound site via modulation of matrix metalloproteinase activity at the wound site. The Examiner is invited to contact the undersigned attorney directly if such contact will

enhance the efficient prosecution of the application to issue.

Respectfully submitted,

KING AND SCHICKLI

J.W. Seanor, D.V.M.

Registration No. 40,804

247 North Broadway Lexington, Kentucky 40507 (859) 252-0889

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